IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

CLERKS OFFICE U.S. DIST. COURT AT ABINGDON, VA FILED

September 26, 2024

LAURA A. AUSTIN, CLERK BY: s/ FELICIA CLARK DEPUTY CLERK

VLADIMIR KRUGLYAK,	BY: s/ FELICIA DEPUTY
Plaintiff,) Case No. 1:22-cv-024
v.) By: Michael F. Urbanski) Senior United States District Judge
HOME DEPOT U.S.A., INC.,	
Defendant.	ý ,

ORDER

For the reasons stated in the accompanying memorandum opinion, the court ORDERS as follows:

- (1) The Report and Recommendation, ECF No. 62, is **ADOPTED** in part and REJECTED in part.
- (2) Plaintiff Vladimir Kruglyak's Motion for Preliminary or Permanent Injunction, ECF No. 31, is **DENIED**.
- (3) Home Depot's Motion for Summary Judgment, ECF No. 33, is **GRANTED** in part and **DENIED** in part.
- (4) Kruglyak's Motion for Summary Judgment, ECF No. 96, is **DENIED**.
- (5) Home Depot's Final Motion for Summary Judgment, ECF No. 80, is **GRANTED** as to Count Two, but **DENIED** as to Count One.

The court will enter a separate scheduling order and set this case for trial on Count One.

It is **SO ORDERED**.

Entered: September 25, 2024

Michael F. Urbanski

Senior United States District Judge